

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

JOHN D. WEST, on Behalf of	:	
Himself and All Other Persons	:	
Similarly Situated	:	
	:	
Plaintiff,	:	
	:	
vs.	:	Case 1:02-cv-0001
	:	
AK STEEL CORPORATION	:	
RETIREMENT ACCUMULATION PENSION	:	
PLAN, et al.	:	
	:	
Defendant.	:	

ORDER AMENDING FINAL JUDGMENT

The Court entered a final judgment in this matter on February 24, 2006 (Doc. 140), awarding each member of the class damages and pre-judgment interest based upon a roster of the class members filed under seal by the parties. The pre-judgment interest award was calculated based upon the total principal amount due to the class, accruing from April 16, 2001. In calculating pre-judgment interest, however, the Court mistakenly overlooked the fact that some members of the class received their lump sum distributions after April 16, 2001. Defendants filed a timely motion under Fed. R. Civ. P. 59(e), requesting the Court to amend the final judgment to correct this error. (Doc. 141)

Clearly, a class member is not entitled to recover pre-judgment interest for any period of time before that individual actually received his or her lump sum retirement plan distribution. Therefore, the Court sua sponte amends the Final

Judgment, to provide that pre-judgment interest is awarded at the statutory rate for each class member from the later of (1) April 16, 2001 or (2) the date that each class member actually received his or her lump sum payment.

An Amended Final Judgment will be filed reflecting this Order.

DATED: March 29, 2006

/s/
Sandra S. Beckwith, Chief Judge
United States District Court